

**REMARKS**

The Office Action dated June 12, 2007 has been received and considered. In this response, claims 18, 19, and 20 have been amended. Support for the amendments may be found in the specification and drawings as originally filed. Reconsideration of the outstanding rejections in the present application is respectfully requested based on the following remarks.

**Anticipation Rejection of Claims 1, 4, 5 and 18-20**

At page 2 of the Office Action, claims 1, 4, 5 and 18-20 are rejected under 35 U.S.C. § 102(b) as being anticipated by Mita (U.S. Patent No. 5,231,677). This rejection is respectfully traversed.

Independent claim 1 recites the features of “receiving a first *video* layer of a *video* image,” “determining a first edge layer based on the first *video* layer,” and “blending the first *video* layer with a first other layer.” Independent claim 18 has been amended to recite the features “determining an edge layer based upon an image layer of a *video* image.” Likewise, independent claim 20 has been amended to recite the features of “a noise filter coupled to receive a source *video* image and to provide a smoothed *video* image.” As described in the Abstract of Mita, the technique of Mita is directed to “digital copying apparatuses, facsimile apparatuses, etc. which handle an image signal.” One of ordinary skill in the art will appreciate that the image processing identified by Mita (as performed by “digital copying apparatuses, facsimile apparatuses, etc.”) is not related to, or capable of, the processing of video. Nowhere does Mita disclose or suggest the processing of video in any manner. Accordingly, Mita fails to disclose or suggest the subject matter of processing a *video* image as provided by claims 1, 18, and 20. Mita therefore fails to disclose or suggest each and every feature recited by claims 1, 18, and 20 as well as the particular combinations of features recited by claims 4, 5, and 19 at least by virtue of their dependency from one of claims 1 or 18.

In view of the foregoing, reconsideration and withdrawal of the anticipation rejection of claims 1, 4, 5, and 18-20 is respectfully requested.

**Obviousness Rejection of Claims 2, 3, 6 and 7**

At page 3 of the Office Action, claims 2, 3, 6 and 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Mita and Maeda (U.S. Patent No. 5,606,630). This rejection is respectfully requested.

Claims 2, 3, 6, and 7 depend from independent claim 1. As discussed above, Mita fails to contemplate processing video. Maeda, like Mita, is directed to a non-video process, namely “reproducing a photographic image recorded on film.” *Maeda*, Abstract. Accordingly, as neither Maeda nor Mita discloses or suggests processing video, the proposed combination of Mita and Maeda fails to disclose or suggest the features of “receiving a first *video* layer of a *video* image,” “determining a first edge layer based on the first *video* layer,” and “blending the first *video* layer with a first other layer” as recited by independent claim 1. The proposed combination of Mita and Maeda fails to disclose or suggest each and every feature recited by claims 2, 3, 6, and 7 at least by virtue of their dependency from claim 1. Moreover, these claims recite additional novel features.

To illustrate, dependent claim 2 recites the additional features of “receiving a second video layer of the video image” “determining a second edge layer based on the second video layer” and “blending the second video layer with a second other layer, wherein the blending is controlled by the second edge layer.” The Office acknowledges that Mita “does not teach multiple layers” but the Office asserts that “it is well known in the art to break up an image stream into multiple color layers (as shown by Maeda), perform image processing operations on each layer separately, and then combine the layers for output.” *Office Action*, p. 4. Based on this assertion, the Office reasons that it would have been obvious to combine the teachings of Mita and Maeda because “[p]erforming image processing operations on each layer separately allows for the image processing operations to be fine tuned for the particular aspects of each color layer, resulting in a better overall image.” *Id.* The Applicant respectfully disagrees with the assertion that it would have been obvious to modify Mita in view of Maeda to arrive at the particular combinations of features recited by claim 2. Mita teaches edge emphasis on an image as a single layer. Maeda, in turn, teaches separating a photographed image into its separate color components (Red, Green, and Blue) for the purpose of white balancing (WB) each color

component separately. *See Maeda*, col. 7, line 65 – col. 8, line 25. Maeda does not disclose or suggest edge emphasis in any manner, much less that edge emphasis is performed for each color component separately. Accordingly, the combination of Mita and Maeda would merely result in the processing of an image as whole for edge emphasis and separately processing the individual color components of the image for white balancing. In contrast, claim 2 provides that a second edge layer of a second video layer of the video image is determined in addition to the first edge layer for the first video layer of the video image.

In view of the foregoing, reconsideration and withdrawal of the obviousness rejection of claims 2, 3, 6, and 7 therefore is respectfully requested.

#### **Obviousness Rejection of Claims 8-16**

At page 4 of the Office Action, claims 8-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Mita and Koc (U. S. Patent No. 5,790,686). This rejection is respectfully traversed.

Claims 8-16 depend from claim 1. As discussed above, claim 1 is directed to processing a video image, whereas Mita is directed to processing a non-video image, such as an image produced by a facsimile device or a digital copy device. *See Mita*, Abstract. The Office asserts that Koc teaches using gradient filters in video processing for edge detection and that it therefore would have been obvious to use horizontal and gradient filters as disclosed in Koc for use in the system disclosed by Mita. *Office Action*, pp. 4-5. The Applicant respectfully disagrees and submits that Office fails to demonstrate why one of ordinary skill in the art would find it obvious to utilize the video-based techniques of Koc in the digital-copying or facsimile-based system of Mita, especially considering the teachings of Mita do not contemplate video in any manner. Accordingly, the proposed combination of Mita and Koc would constitute merely a hindsight reconstruction motivated by the teachings of the present disclosure. As it would not have been obvious to combine the teachings of Mita and Koc as proposed to arrive at the subject matter of claim 1, the rejection of claims 8-16 in view of the proposed combination of Mita and Koc therefore is improper at least in view of their dependency from claim 1. Moreover, these claims recite additional novel features.

To illustrate, claim 11 recites the features of “wherein the blending is independent of a horizontal edge component.” The Office rejects claims 8-16 together without reference to these particular features and therefore fails to establish a *prima facie* case of obviousness for claim 11. Moreover, nowhere in Mita or Maeda is it disclosed or suggested that blending the first video layer with a first other layer is done independent of a horizontal edge component as provided by claim 2.

In view of the foregoing, reconsideration and withdrawal of the obviousness rejection of claims 8-16 therefore is respectfully requested.

#### **Obviousness Rejection of Claim 17**

At page 5 of the Office Action, claim 17 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Mita, Koc and Lee (U.S. Patent No. 6,160,913). This rejection is respectfully traversed.

Claim 17 depends from claim 1. As discussed above, it would not be obvious to combine Mita and Koc as proposed to arrive at the subject matter of claim 1. The teachings of Lee do not remedy the deficiencies of Mita and Koc with respect to claim 1. Accordingly, it would not be obvious to combine the teachings of Mita, Koc and Lee as proposed to arrive at the particular combination of features recited by claim 17 at least in view of its dependency from claim 1. Reconsideration and withdrawal of the obviousness rejection of claim 17 therefore is respectfully requested.

#### **Conclusion**

The Applicant respectfully submits that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

It is believed no additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-1835.

Respectfully submitted,

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